

REMARKS

This Amendment is in response to the Office Action dated May 17, 2006 in which claims 1-18 were rejected under §102(e) as being anticipated by Higgins et al., U.S. Patent No. 6,397,202. Applicants respectfully request reconsideration and allowance of all pending claims in view of the above-amendments and the following remarks.

I. CLAIM AMENDMENTS

Independent claims 1, 9 and 14 have been amended to replace the phrase “a plurality of actions to be performed” by “a plurality of different action identifiers, each of which is descriptive of a separate action to be performed”. Corresponding amendments have been made to claim 2. Similarly, independent claims 15, 17 and 18 are amended to replace the phrase “a plurality of inter-related project actions” by “a plurality of inter-related action identifiers, each of which is descriptive of a separate project action.” Support for these amendments can be found in the application as filed, in particular, on page 8 of the description.

The proposed amendments are believed not to narrow the scope of the claims or raise new issues that would require further search and/or consideration by the Examiner. Rather, the proposed amendments are intended to improve the clarity of claims 1, 9 and 14. Applicants therefore respectfully request that the proposed amendments be entered.

Also, various occurrences of “consisting of” or “consists of” have been replaced with “comprising” or “comprises”. Again, these amendments are believed not to raise new issues.

II. HIGGINS ET AL.

Higgins et al., U.S. Patent No. 6,397,202 relates to a computer program which takes as its inputs a set of system requirements, stores them within a database and outputs risk levels to a project manager. The system requirements may include the number of estimated source lines of code. The Office Action alleges that the number of source lines of code corresponds to a plurality of actions to be performed, i.e. each line of code corresponds to a single action.

Although Applicants do not agree with the interpretation, Applicants would like to overcome this objection by clarifying the claims in the eyes of the Examiner, without narrowing the scope of the claims. Hence, claims 1, 9 and 14 are amended as described above.

Claim 1 of the present application is novel over Higgins. Higgins does not disclose project data comprising a plurality of different action identifiers, each of which is descriptive of a separate action to be performed. Instead, Higgins describes system requirements. As explained in Applicants' previous response, these system requirements are metrics relating to the inputs and outputs of the project, such as the number of source lines of code or the number of planned personnel. However, each of these system requirements is not descriptive of a separate action to be performed. Rather, each may provide a measurement of how one or more actions are progressing, for example the number of source lines of code that have been written or the number of personnel needed. In contrast, each action identifier of the present invention describes an action. In other words it gives some information about the nature of an action.

The difference between Higgins and claim 1 of the present application can be further understood by using the analogy of building a house with bricks. The number of bricks used is analogous to the system requirements of Higgins. It is clear that this is completely different from say, building a wall, which is descriptive of an action to be performed, and therefore is analogous to an action identifier, as understood by the claims of the present application.

Even if the Examiner wishes to suggest that the number of source lines of code is descriptive of an action to be performed, the other system requirements of Higgins certainly are not descriptive of different actions to be performed. Hence, Higgins does not disclose a plurality of different action identifiers, each of which is descriptive of a separate action to be performed.

Claim 1 is also not obvious in view of the prior art. Applicants' previous response provides detailed arguments as to the non-obviousness of the claims. Also, the amendments made at this time clarify that the action identifiers are substantially different from the system requirements of Higgins.

In fact an embodiment of the present invention benefits from using a plurality of action identifiers, each of which describe a separate action. This allows for project data, which can be used for risk management, based on the descriptions of these actions and their inter-relationships. The skilled person starting from Higgins, which uses metrics related to action, would have no thought to consider the nature of the actions themselves, which is an entirely different

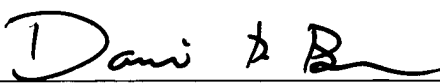
concept.

As previously noted, the remaining claims of the application are both novel and non-obvious over the disclosures of Higgins et al., as they are dependent on claim 1 or recite substantially similar subject matter to claim 1.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

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